

**HOUSE JOURNAL**  
**TWELFTH DAY**  
**\* \* \***

**MORNING SESSION**

The House was called to order by Speaker Curtis at 10:00 a.m.

Roll call showed all members present except Representative David Clark, excused.

Prayer by Representative Tim Cosgrove.

Pledge of Allegiance by James Cosgrove, Representative Cosgrove's son.

**COMMUNICATION FROM THE GOVERNOR**

Mr. Larry Wiley:

January 27, 2005

It is my pleasure to appoint you to the Utah State Legislature, to fill the seat in Legislative District 31 that was vacated by Ty McCartney. I am confident that as a legislator you will serve our state and the citizens in your district with discernment and decorum.

Jon M. Huntsman, Jr.

Governor

Communication filed. Speaker Curtis administered the oath of office to Larry Wiley.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker:

January 27, 2005

The Senate passed **S.B. 30**, AMENDMENTS TO SEARCH WARRANTS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 40**, REGULATION OF TITLE INSURANCE INDUSTRY, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 86**, 2004 GENERAL OBLIGATION BOND AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 87**, RESIDENCE LIEN RESTRICTION AND LIEN RECOVERY FUND AMENDMENTS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed **S.B. 88**, CREATION OF LOCAL DISTRICTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 90**, COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed **S.B. 91**, INTERSTATE JUVENILE COMPACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 93**, CHILDREN'S JUSTICE CENTER ADDITION, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.B. 94**, RESTITUTION AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 97**, CONSOLIDATION OF CITY AND COUNTY LIBRARY, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.J.R. 3**, RESOLUTION ENCOURAGING MEDIATION, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 30, S.B. 40, S.B. 86, S.B. 87, S.B. 88, S.B. 90, S.B. 91, S.B. 93, S.B. 94, S.B. 97**, and **S.J.R. 3**, read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker:

January 27, 2005

The Senate passed, **H.J.R. 6**, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 8**, JOINT RULES RESOLUTION – USE OF LEGISLATIVE SEALS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 9**, RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 10**, JOINT RULES RESOLUTION – AMENDMENTS IN CONTEXT, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.J.R. 6**, **H.J.R. 8**, **H.J.R. 9**, and **H.J.R. 10** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 27, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 68**, MOTOR VEHICLE ENFORCEMENT DIVISION AMENDMENTS, by Representative P. Ray.

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice committee was adopted.

**H.B. 68**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 27, 2005

The Judiciary Committee reports a favorable recommendation on **H.B. 76**, HABITUAL VIOLENT OFFENDERS AMENDMENTS, by Representative P. Ray; and

The Judiciary Committee reports a favorable recommendation on **H.B. 218**, SECOND DISTRICT JUVENILE JUDGE, by Representative J. S. Adams; and

The Judiciary Committee reports a favorable recommendation on **H.B. 222**, PILOT PROGRAM REPEAL CLEAN-UP, by Representative R. Romero, and recommends it be placed on the Consent Calendar.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.

**H.B. 76** and **H.B. 218**, read the second time by short title and placed on the calendar for third reading.

**H.B. 222**, read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

January 27, 2005

The Transportation Committee reports a favorable recommendation on **H.B. 65**, DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE AMENDMENTS, by Representative D. Bowman, with the following amendments:

1. Page 2, Lines 53 through 54:

53 Other Special Clauses:

54        {~~None~~}        This bill takes effect on July 1, 2005.

2. Page 4, Lines 112 through 113:

112        (xv) operating or being in actual physical control of a motor vehicle in violation of

113 Subsection 53-3-227(4) (a)(i)(B) .

3. Page 12, Lines 352 through 353:

352        (2) (a) A licensee shall display a CDL or CDIP license certificate upon demand of a

353 justice {~~of the peace~~} court judge , a peace officer. a  
special function officer, a port-of-entry officer, or a {~~field deputy~~  
~~or inspector~~} designee of the division.

4. Page 13, Lines 389 through 391:

389        (1) The application for a CDL or CDIP shall include the following information

390 regarding the applicant:

391        (a) full legal name and current mailing and Utah residential address;

5. Page 20, Lines 611 through 612:

611 (b) who is performing official duties as provided in Sections  
23-20-1.5 and 76-10-523

612 and as otherwise provided by law.

Section 13. Effective date.

This bill takes effect on July 1, 2005.

Joseph G. Murray, Chair

Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

**H.B. 65**, as amended, read the second time by short title and placed on the calendar for third reading.

\* \* \*

Mr. Speaker:

January 27, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 157**, WATER ENFORCEMENT PROCEDURES AND PENALTIES, by Representative D. Ure; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 29**, STATE ENGINEER'S POWERS AND DUTIES AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 2, Lines 33 through 37:

33 (3) {~~1~~} (a) {~~1~~} The state engineer shall {~~1~~} }

34 {~~(a)~~} be responsible for the general administrative  
supervision of the waters of the state

35 and the measurement, appropriation, apportionment, and  
distribution of those waters~~[7]~~; and

36 (b) the state engineer may secure the equitable  
apportionment and distribution of the water according to the

37 respective rights of appropriators. ; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 38**, WATER LAW – CRIMINAL PENALTIES AMENDMENTS, by Representative B. Ferry, be replaced and reports a favorable recommendation on **1st Sub. H.B. 38**, WATER LAW – CRIMINAL PENALTIES AMENDMENTS with the following amendments:

1. Page 4, Lines 100 through 112:

100 (2) Under circumstances not amounting to an offense with a  
greater penalty under

101 Subsection 76-6-106(2)(b)(ii) or Section 76-6-404, violation of a  
provision listed in Subsection

102 (1) is punishable:

103 (a) as a felony of the third degree if:

104 (i) the value of the water diverted or property damaged or taken  
is \$2,500 or greater;

105 and

106 (ii) the person violating the provision has previously been  
convicted of {~~a provision~~

107 listed in Subsection (1) } violating the same provision :

108 (b) as a class A misdemeanor if:

109 (i) the value of the water diverted or property damaged or taken  
is \$2,500 or greater; or

110 (ii) the person violating the provision has previously been  
convicted of {~~a provision~~

111 listed in Subsection (1) } violating the same provision ; or

112 (c) as a class B misdemeanor if Subsection (2)(a) or (b) do not  
apply.

2. Page 9, Lines 243 through 250:

243 73-3-26. Violations — Penalty.

244 (1) Any person[~~, firm, copartnership, association, or~~  
corporation] drilling a well or

245 wells in the state or who advertises or holds himself {~~or~~  
~~itself~~} out as a well driller, or who

246 follows such business, without first having obtained a {~~well~~  
~~permit, license, or well driller bond~~ } license

247 as provided by this act or who drills a well or wells after revocation  
or expiration of his {~~well~~

248 ~~permit, license, or well driller bond~~ } license theretofore  
issued, [~~or who drills a well or wells in~~

249 ~~violation of the rules and regulations~~] is guilty of a [class-B  
misdemeanor] crime punishable

250 under Section 73-2-27.

3. Page 11, Lines 312 through 315:

312 (6) Except as provided in Subsection {~~73-2-29~~ } (2), a  
person who knowingly or

313 intentionally relocates any natural stream channel, or alters the bed  
or bank of any natural

314 stream channel without first obtaining the written approval of the  
state engineer is guilty of a

315 crime punishable under Section 73-3-27.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 157, H.B. 29**, as amended, and **Sub. H.B. 38**, as amended, read the second time by short title and placed on the calendar for third reading.

### COMMITTEE OF THE WHOLE

On motion of Representative Becker, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Congressman Jim Matheson.

On motion of Representative Ferry, the Committee of the Whole was dissolved.

### INTRODUCTION OF BILLS

**H.B. 101, Amendments to the Individual Income Tax** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 102, Higher Education Savings Incentive Program Amendments** (S. Wyatt), read the first time by short title and referred to the Rules Committee.

**H.B. 103, Student Housing Built by Higher Education Institutions** (S. Clark), read the first time by short title and referred to the Rules Committee.

**H.B. 135, Implementing Federal Educational Programs** (M. Dayton), read the first time by short title and referred to the Rules Committee.

**H.B. 136, Charter School Enrollment** (J. Ferrin), read the first time by short title and referred to the Rules Committee.

**H.B. 137, Repeal of Prior Amendments to the Voluntary Contributions Act** (N. Hansen), read the first time by short title and referred to the Rules Committee.

**H.B. 138, Nonresident Tuition for Higher Education Amendments** (M. S. Lawrence), read the first time by short title and referred to the Rules Committee.

**H.B. 139, Local School Board Amendments** (M. Dayton), read the first time by short title and referred to the Rules Committee.

**H.B. 140, Individual Income Tax Contribution for Community Spay and Neuter Programs** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 141, School Breakfast Program** (D. Litvack), read the first time by short title and referred to the Rules Committee.

**H.B. 239, Repeal of Exemption from Nonresident Tuition** (G. Donnelson), read the first time by short title and referred to the Rules Committee.

**H.B. 240, Disaster Loan Program** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.J.R. 13, Resolution Supporting National Bear River Heritage Area Act** (C. Buttars), read the first time by short title and referred to the Rules Committee.

**H.R. 7, House Rules Resolution – Minority Report** (D. Ure), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 69, FEDERAL HEALTH CARE TAX CREDIT PROGRAM ACT**, read the third time by short title and placed on its final passage.

**H.B. 69** then passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	S. Allen	Barrus
Becker	Bigelow	Biskupski	Bourdeaux



Bowman	Buttars	Buxton	Christensen
S. Clark	Cosgrove	D. Cox	Daw
Dayton	Donnelson	Dougall	Duckworth
Dunnigan	Ferrin	Ferry	Fisher
Fowlke	Frank	Gibson	Goodfellow
Gowans	Hansen	Hardy	Harper
Hendrickson	Hogue	Holdaway	Hughes
Hunsaker	E. Hutchings	B. Johnson	Jones
King	Kiser	Last	Lockhart
Mascaro	Mathis	Wiley	McGee
Menlove	Morgan	Morley	Moss
Murray	Newbold	Noel	Oda
Painter	Ray	Romero	Shurtliff
G. Snow	Tilton	Ure	Urquhart
Walker	Wallace	Wheatley	Wheeler
Wyatt	Curtis		

**Absent or not voting were:** Representatives

Alexander	D. Clark	Dee	Lawrence
Litvack			

**H.B. 69** transmitted to the Senate for its consideration.

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**H.B. 195**, INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

**H.B. 195** then passed on the following roll call:

**Yeas, 72; Nays, 0; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	Alexander	S. Allen
Barrus	Becker	Bigelow	Biskupski
Bourdeaux	Bowman	Buttars	Buxton
Christensen	S. Clark	Cosgrove	D. Cox
Daw	Dayton	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Ferrin
Ferry	Fisher	Frank	Gibson
Goodfellow	Gowans	Hansen	Hardy
Harper	Hendrickson	Hogue	Holdaway
Hughes	Hunsaker	E. Hutchings	B. Johnson

Jones	King	Kiser	Last
Lawrence	Lockhart	Mascaro	Mathis
Wiley	McGee	Menlove	Morgan
Morley	Moss	Murray	Newbold
Noel	Oda	Painter	Ray
Romero	Shurtliff	G. Snow	Tilton
Ure	Urquhart	Walker	Wallace
Wheatley	Wheeler	Wyatt	Curtis

**Absent or not voting were:** Representatives

D. Clark	Fowlke	Litvack
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**H.B. 195** transmitted to the Senate for its consideration.

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**H.C.R. 6**, RESOLUTION RECOGNIZING UTAH'S LEGISLATORS BACK TO SCHOOL PROGRAM, read the third time by short title and placed on its final passage.

**H.C.R. 6**, as amended, then passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	S. Allen	Barrus
Becker	Bigelow	Biskupski	Bowman
Buttars	Buxton	Christensen	S. Clark
Cosgrove	D. Cox	Daw	Dayton
Dee	Donnelson	Dougall	Duckworth
Dunnigan	Ferrin	Ferry	Fisher
Fowlke	Frank	Gibson	Goodfellow
Gowans	Hansen	Hardy	Harper
Hendrickson	Hogue	Holdaway	Hughes
Hunsaker	E. Hutchings	B. Johnson	Jones
King	Kiser	Last	Lawrence
Lockhart	Mascaro	Mathis	Wiley
McGee	Menlove	Morgan	Morley
Moss	Murray	Newbold	Noel
Oda	Painter	Ray	Romero
Shurtliff	G. Snow	Tilton	Ure
Urquhart	Walker	Wallace	Wheatley
Wheeler	Wyatt	Curtis	

**Absent or not voting were:** Representatives

Alexander	Bourdeaux	D. Clark	Litvack
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**H.C.R. 6**, as amended, transmitted to the Senate for its consideration.

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**H.B. 160**, WILDLIFE AGENTS AMENDMENTS, read the third time by short title and placed on its final passage.

**H.B. 160** then passed on the following roll call:

**Yeas, 73; Nays, 0; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	Alexander	S. Allen
Barrus	Becker	Bigelow	Biskupski
Bourdeaux	Bowman	Buttars	Buxton
Christensen	S. Clark	Cosgrove	D. Cox
Daw	Dayton	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Ferrin
Ferry	Fisher	Fowlke	Frank
Gibson	Goodfellow	Gowans	Hansen
Hardy	Harper	Hendrickson	Hogue
Holdaway	Hughes	Hunsaker	E. Hutchings
B. Johnson	Jones	King	Kiser
Last	Lawrence	Lockhart	Mascaro
Mathis	Wiley	McGee	Menlove
Morgan	Morley	Moss	Murray
Newbold	Noel	Oda	Painter
Ray	Romero	Shurtliff	G. Snow
Tilton	Ure	Urquhart	Walker
Wallace	Wheatley	Wheeler	Wyatt
Curtis			

**Absent or not voting were:** Representatives

D. Clark	Litvack
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**H.B. 160** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Shurtliff, the House voted to uncircle **H.B. 172**.

**H.B. 172**, NOTARY PUBLIC AMENDMENTS, was before the House on its final passage.

Representative Shurtliff proposed the following amendment:

1. Page 3, Lines 70 through 79

70       (6) (a) Beginning July 1, 2005, each applicant for a notarial  
commission    {~~or applicant to~~

71   renew a notarial commission }   must complete at least four hours  
of approved notary education

72   within the six-month period immediately preceding the  
application for a commission    {~~or a~~

73   renewal. }

(b) (i) Beginning July 1, 2005 and until July 1, 2009, each  
applicant for a renewal of a notarial commission shall complete at least  
four hours of approved notary education.

(ii) After July 1, 2009, an applicant for renewal of a notarial  
commission is not required to complete notarial education unless the  
provisions of Subsection (6)(e) apply.

74        {~~(b)~~ }    (c)   Notary education may either be  
interactive or classroom instruction. All education

75   programs shall be preapproved by the lieutenant governor with a  
core curriculum that includes

76   the duties and responsibilities of the notary office and electronic  
notarization.

77        {~~(c)~~ }    (d)   An applicant must submit a certificate of  
attendance from the preapproved

78   education program with the application for a commission or a  
renewal.

79        {~~(d)~~ }    (e)   (i) The office of the lieutenant governor  
may, for good cause, order a commissioned

Representative Shurtliff's motion to amend passed on a voice vote.

###

Representative Kiser proposed the following amendment:

1. Page 1, Line 8:  
Delete “four” and insert “two”
2. Page 1, Line 12:  
Delete “four” and insert “two”
3. Page 2, Line 54:  
Delete “four” and insert “two”
4. Page 3, Line 71 (pink sheet amendment):  
Delete “four” and insert “two”
5. Page 3, Line 73 (pink sheet amendment):  
Delete “four” and insert “two”

Representative Kiser’s motion to amend failed on the following roll call:

**Yeas, 36; Nays, 37; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	S. Allen	Barrus
Buttars	Christensen	S. Clark	D. Cox
Daw	Dayton	Donnelson	Dougall
Ferrin	Fisher	Fowlke	Hardy
Harper	Hogue	Holdaway	Hughes
B. Johnson	Kiser	Last	Lawrence
Lockhart	Mascaro	Morley	Murray
Newbold	Noel	Oda	Painter
Tilton	Ure	Walker	Curtis

**Voting in the negative were:** Representatives

Alexander	Becker	Bigelow	Biskupski
Bourdeaux	Bowman	Buxton	Cosgrove
Dee	Duckworth	Dunnigan	Ferry
Frank	Gibson	Goodfellow	Gowans
Hansen	Hendrickson	Hunsaker	E. Hutchings
Jones	King	Litvack	Mathis
Wiley	McGee	Menlove	Morgan
Moss	Ray	Romero	Shurtliff
Urquhart	Wallace	Wheatley	Wheeler
Wyatt			

**Absent or not voting were:** Representatives

D. Clark	G. Snow
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**H.B. 172**, as amended, then passed on the following roll call:

**Yeas, 52; Nays, 17; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	Alexander	Barrus
Becker	Bigelow	Biskupski	Bowman
Buttars	Buxton	Christensen	S. Clark
Cosgrove	D. Cox	Daw	Dee
Duckworth	Dunnigan	Ferry	Gibson
Goodfellow	Gowans	Hansen	Harper
Hendrickson	Hogue	Holdaway	Hunsaker
Jones	King	Last	Litvack
Mascaro	Mathis	Wiley	McGee
Menlove	Morgan	Moss	Murray
Newbold	Noel	Painter	Ray
Romero	Shurtliff	Ure	Urquhart
Wallace	Wheatley	Wheeler	Wyatt

**Voting in the negative were:** Representatives

S. Allen	Dayton	Donnelson	Dougall
Ferrin	Fisher	Fowlke	Frank
Hardy	E. Hutchings	Kiser	Lawrence
Morley	Oda	Tilton	Walker
Curtis			

**Absent or not voting were:** Representatives

Bourdeaux	D. Clark	Hughes	B. Johnson
Lockhart	G. Snow		

**H.B. 172**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 240** from the Rules Committee, consider it read the second time by short title and placed on the Time Certain calendar for Monday, January 31, 2005, at 10:30 a.m.

### THIRD READING CALENDAR

**H.B. 60**, PRODUCER LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 1, Lines 1 through 2

1        {~~PRODUCER~~}        INSURANCE    LICENSING  
AMENDMENTS

2        2005 GENERAL SESSION

2. Page 1, Lines 7 through 8:

7        General Description:

8        This bill modifies the Insurance Code to address  
      {~~producer~~} licensing.

Representative Dunnigan's motion to amend passed on a voice vote.

**H.B. 60**, as amended, then passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	Alexander	S. Allen
Barrus	Becker	Biskupski	Bowman
Buttars	Buxton	Christensen	S. Clark
Cosgrove	D. Cox	Daw	Dee
Donnelson	Dougall	Duckworth	Dunnigan
Ferrin	Ferry	Fisher	Fowlke
Frank	Gibson	Goodfellow	Gowans
Hansen	Hardy	Harper	Hendrickson
Hogue	Holdaway	Hughes	Hunsaker
E. Hutchings	B. Johnson	Jones	King
Kiser	Last	Lawrence	Litvack
Mascaro	Wiley	McGee	Menlove
Morgan	Morley	Moss	Murray
Newbold	Oda	Painter	Ray
Romero	Shurtliff	Tilton	Urquhart
Walker	Wheatley	Wheeler	Wyatt
Curtis			

**Absent or not voting were:** Representatives

Bigelow	Bourdeaux	D. Clark	Dayton
Lockhart	Mathis	Noel	G. Snow
Ure	Wallace		

**H.B. 60**, as amended, transmitted to the Senate for its consideration.

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**H.B. 191**, CAPTIVE INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Christensen, the House voted to circle **H.B. 191**.

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**H.B. 183**, VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Lines 18 through 20

18       •       specifying the acceptable forms of documentation to  
verify eligibility for a fee

19   waiver, which shall include income tax returns {~~—, if the parent or~~  
guardian was

20   ~~required to file a return—~~}       or current pay stubs .

2. Page 3, Lines 70 through 72  
House Committee Amendments  
1–20–2005:

70       **(b) specifying the acceptable forms of documentation for the**  
**requirement under**

71   **Subsection (5)(a), which shall include verification based on income**  
**tax returns** {~~—if the parent or~~

72   ~~guardian was required to file a return~~}       or current pay stubs .

Representative Harper's motion to amend passed on a voice vote.

**H.B. 183**, as amended, then passed on the following roll call:

**Yeas, 63; Nays, 6; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Adams	Alexander	S. Allen
Barrus	Becker	Biskupski	Bowman



Buttars	Buxton	Christensen	S. Clark
Cosgrove	D. Cox	Daw	Dayton
Dee	Donnelson	Dougall	Duckworth
Dunnigan	Ferrin	Fisher	Fowlke
Frank	Gibson	Gowans	Hansen
Harper	Hogue	Holdaway	Hughes
Hunsaker	E. Hutchings	B. Johnson	Jones
King	Kiser	Last	Lawrence
Lockhart	Mathis	McGee	Menlove
Morgan	Morley	Moss	Murray
Newbold	Noel	Oda	Painter
Ray	Shurtliff	Tilton	Ure
Urquhart	Walker	Wallace	Wheatley
Wheeler	Wyatt	Curtis	

**Voting in the negative were:** Representatives

Bourdeaux	Goodfellow	Hendrickson	Litvack
Wiley	Romero		

**Absent or not voting were:** Representatives

Bigelow	D. Clark	Ferry	Hardy
Mascaro	G. Snow		

**H.B. 183**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to adjourn until January 31, 2005, at 10:00 a.m.

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Transmitted to the Senate	235
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Read the second time	24
Read the third time	57
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Read the third time	57
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Read the second time	196
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Read the second time	24
Read the third time	81
Circled	81
Uncircled	167
Transmitted to the Senate	167
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Read the third time	81
Circled	81
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Read the third time	199
Amendments	199
Held	200
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Read the third time	81
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Uncircled	85
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Read the second time	25

Read the third time .....	81
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Read the third time .....	83
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Read the third time	233
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